

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band)	WT Docket No. 07-293
)	
Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band)	IB Docket No. 95-91 GEN Docket No. 90-357 RM-8610

ERRATUM

Released: June 8, 2010

By the Commission:

1. On May 20, 2010, the Commission released a *Report and Order and Second Report and Order*, FCC 10-82, in the above captioned proceedings, in which we established rules that modified the technical parameters governing the operation of Wireless Communications Service (WCS) mobile and portable devices in the 2.3 GHz band, and adopted technical rules governing the operation of 2.3 GHz-band Satellite Digital Audio Radio Service (SDARS) terrestrial repeaters and a blanket-licensing regime for SDARS repeaters.¹ In this Erratum, we make several corrections. First, we correct typographical errors in footnote 71 and in paragraphs 67, 81, 221, and 263. Second, we correct the text in footnote 190 to add the date of the cited filing. Third, we correct grammar errors in paragraphs 225 and 268 and in footnote 610. Fourth, in Section 2.106 United States Footnote 338 (US338), we correct the coordinates for the National Aeronautical Space Administration Goldstone, California Deep Space Network Facility, the coordination distance for WCS licensees, and the entity with whom WCS licensees must coordinate (*i.e.*, NASA) to agree with the information adopted in Section 27.73 of the *Report and Order and Second Report and Order*.² Fifth, we correct paragraph 143 and the text of Section 27.50(a)(2) to reflect that outdoor antennas and installations are prohibited for fixed WCS CPE operating at 2 Watts or less average EIRP; correct typographical errors in Sections 25.144(e)(9)(i), 27.50(a)(2), and 27.53(a)(2); and correct paragraph 112 and the text of Section 27.53(a)(5) to list all of the WCS frequency blocks. The specific corrections are discussed in the following paragraphs:

2. In footnote 71 of the *Report and Order and Second Report and Order*, we correct a typographical error in the second sentence to correctly refer to the pertinent Appendix, to read as follows:

“Pleadings filed in response to the *1997 Further Notice* and the *2001 Public Notice* are listed in Appendix A to this Order.”

¹ See Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band, WT Docket No. 07-293, *Report and Order*, Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, IB Docket No. 95-91, *Second Report and Order*, FCC 10-82 (rel. May 20, 2010) (*Report and Order and Second Report and Order*).

² See *id.*, Appendix B, § 27.73(b).

3. In paragraph 67 of the *Report and Order and Second Report and Order*, we correct a typographical error in the fourth sentence by replacing the word “not” before “probative” with the word “no,” to read as follows:

“Moreover, with regard to the video that Sirius XM submitted with its May 6, 2010, *ex parte*, without knowing the test setup and technical parameters, the purported demonstration has no probative value.”

4. In footnote 190 of the *Report and Order and Second Report and Order*, we correct the text by adding the date and page numbers of the cited filing, to read as follows:

“*See Sirius XM Ex Parte*, filed May 13, 2010, at 9-10.”

5. In paragraph 81 of the *Report and Order and Second Report and Order*, we correct a typographical error in the last sentence by making “licensee” plural, to read as follows:

“WCS licensees must use these network control capabilities to expeditiously remedy interference once notified.”

6. In paragraph 112 of the *Report and Order and Second Report and Order*, we correct the first sentence by listing all the WCS channel blocks, some of which had been omitted inadvertently, to read as follows:

“Although the typical measurement bandwidth used in measuring compliance with specific OOB attenuation factors is 1 megahertz, because we are requiring that WCS devices’ OOB be attenuated by a specific amount at the channel-edge frequency, in the one-megahertz bands immediately outside and adjacent to the WCS channel blocks at 2305, 2310, 2315, 2320, 2345, 2350, 2355, and 2360 MHz, measurements for compliance with the WCS OOB limits may be based on a resolution bandwidth of 1 percent of the emission bandwidth, so long as the measured power is integrated over a 1-megahertz bandwidth.”

7. In paragraph 143 of the *Report and Order and Second Report and Order*, we correct the sixth sentence by adding the phrase “operating at 2 Watts or less average EIRP” after the word “devices” to reflect the specific reference in the remainder of the paragraph, to read as follows:

“To further limit the potential for harmful interference from WCS CPE to SDARS receivers, however, we restrict WCS CPE devices operating at 2 Watts or less average EIRP to the use of indoor antennas and indoor installations.”

8. In paragraph 221 of the *Report and Order and Second Report and Order*, we correct a typographical error in the last sentence by replacing the word “missed” with the word “dismissed,” to read as follows:

“Further, because the new performance requirements supersede the substantial service requirement for all WCS licensees, it is unnecessary for the Wireless Telecommunications Bureau to process any pending service demonstrations, and any such demonstrations and pleadings filed in opposition are hereby dismissed as moot.”

9. In paragraph 225 of the *Report and Order and Second Report and Order*, we correct a typographical error in the last sentence by removing the letter “s” from the word “remains,” to read as follows:

“Specifically, we adopt rules to ensure that SDARS repeaters remain truly complementary to a satellite-based service, and that SDARS terrestrial repeaters are not used to transmit local programming or advertising.”

10. In footnote 610 of the *Report and Order and Second Report and Order*, we correct a typographical error in the first sentence by removing the letter “s” from the word “repeaters,” to read as follows:

"We note that repeater operations that do not comply with the power and out-of-band emissions limits adopted herein are not eligible for blanket-licensing, but must instead be licensed on a site-by-site basis. *See infra*, Section IV.B.1."

11. In paragraph 263 of the *Report and Order and Second Report and Order*, we correct typographical errors in the last sentence by removing the duplicate phrase “and power” after the word “power” and by removing an extraneous “to” before the word “today,” to read as follows:

"We observe that, in the event that the notifying WCS licensee subsequently fails to provide service in the notified area, or ceases to provide such service at a future date, Sirius XM may seek a waiver of the power and OOB standards adopted today to permit operations on specific repeaters above 12-kW average EIRP or with lower OOB attenuation levels."

12. In paragraph 268 of the *Report and Order and Second Report and Order*, we correct the last sentence by replacing the word “it” before “invited” with the phrase “the 2007 Notice,” by making “operation” after MSS plural, and by adding the word “by” before “FCC-licensed,” to read as follows:

"In addition, the 2007 Notice invited comment on using an alternative licensing procedure patterned on the procedure for licensing Mobile Satellite Service (MSS) ancillary terrestrial components (ATCs) to operate in spectrum assigned for MSS operations by FCC-licensed space stations, whereby the MSS licensee applies for modification of its space station license.⁶²⁷"

13. In Appendix B of the *Report and Order and Second Report and Order*, we correct the final rule text to reflect in Section 2.106 United States Footnote 338 (US338) the coordinates, the coordination distance, and the coordinating entity adopted in Section 27.73, to read as follows:

“For the reasons discussed above, the Federal Communications Commission amends Title 47 of the Code of Federal Regulations, Part 2, as follows:

Part 2 – Table of Frequency Allocations

1. The authority citation for Part 2 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

2. Amend Section 2.106 US338 to read as follows:

US338 The following provisions shall apply in the frequency range 2305-2320 MHz:

(a) In the band 2305-2310 MHz, space-to-Earth operations are prohibited.

(b) Within 145 km of Goldstone, CA (35° 25' 33" N, 116° 53' 23" N), Wireless Communications Service (WCS) licensees operating base stations in the band 2305-2320 MHz shall, prior to operation of those base stations, achieve a mutually satisfactory coordination agreement with the National Aeronautics and Space Administration (NASA).

NOTE: NASA operates a deep space facility in Goldstone in the band 2290-2300 MHz.”

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14. In the final rule text for amended Section 25.144(e)(9)(i), found in Appendix B of the *Report and Order and Second Report and Order*, we correct a typographical error in the reference to the notification requirement section by changing the referenced Section from § 26.263(c)(2) to § 25.263(c)(2), to read as follows:

“The technical information for each repeater required to be shared with potentially affected WCS licensees as part of the notification requirement set forth in § 25.263(c)(2) of this chapter.”

15. In the final rule text for amended Section 27.50(a)(2), found in Appendix B of the *Report and Order and Second Report and Order*, we correct typographical errors in the heading and first and second sentences by removing the word “and” from between “fixed” and “customer premises equipment” and “fixed” and “CPE,” respectively, and add the phrase “operating with 2 watts or less average EIRP” in the third sentence after the word “installations” to more clearly reflect the intention of the Commission as stated in the text of the *Report and Order* at paragraphs 142-143, to read as follows:

“(2) Fixed customer premises equipment stations. For fixed customer premises equipment (CPE) stations transmitting in the 2305-2320 MHz band or in the 2345-2360 MHz band, the peak EIRP must not exceed 20 watts. Fixed CPE stations transmitting in the 2305-2320 MHz band or in the 2345-2360 MHz band must employ automatic transmit power control when operating so the stations operate with the minimum power necessary for successful communications. The use of outdoor antennas for CPE stations or outdoor CPE station installations operating with 2 watts or less average EIRP is prohibited.”

16. In the final rule text for amended Section 27.53(a)(2), found in Appendix B of the *Report and Order and Second Report and Order*, we correct a typographical error in the first sentence by removing the word “and” from between “fixed” and “customer premises equipment,” to read as follows:

“(2) For fixed customer premises equipment (CPE) stations operating in the 2305-2320 MHz band and the 2345-2360 MHz band transmitting with more than 2 watts average EIRP:”

17. In the final rule text for amended Section 27.53(a)(5), found in Appendix B of the *Report and Order and Second Report and Order*, we revise the first, second, and third sentences to correct the sentence spacing, and to list all the WCS channel blocks in the second sentence, to read as follows:

“(5) Measurement procedure. Compliance with these rules is based on the use of measurement instrumentation employing a resolution bandwidth of 1 MHz or greater. However, in the 1-MHz bands immediately outside and adjacent to the channel blocks at 2305, 2310, 2315, 2320, 2345, 2350, 2355, and 2360 MHz, a resolution bandwidth of at least 1 percent of the emission bandwidth of the fundamental emission of the transmitter may be employed. A narrower resolution bandwidth is permitted in all cases to improve measurement accuracy provided the measured power is integrated over the full required measurement bandwidth (*i.e.*, 1 MHz or 1 percent of the emission bandwidth, as specified).”

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary